

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	AMENDED ORDER
Plaintiff,)	
)	
vs.)	
)	Case No.: 1:06-mj-031
Rogelio Reyna a/k/a Roy,)	
)	
Defendant.)	

On September 25, 2006, Defendant made his initial appearance in this court on a Warrant for Arrest and Indictment filed in United States District Court for the Southern District of Mississippi, Hattiesburg Division. Attorney Paul Emerson appeared on the government's behalf. Attorney Orell Schmitz was appointed as defense counsel and appeared on Defendant's behalf.

Defendant waived his right to an identity hearing and acknowledged that he is the Rogelio Reyna named in the indictment. The court accepts Defendant's waiver, finding that it was made knowingly, voluntarily, and upon advice of counsel.

Further, upon the Motion of the United States for detention of the defendant, and for a detention hearing, the court hereby **ORDERS** that a detention hearing be scheduled for Thursday, September 28, 2006, at 3:00 p.m. at the Federal Building and U.S. Courthouse in Bismarck North Dakota (courtroom #2).

The court **FURTHER ORDERS** that pending said hearing, Defendant shall be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for

private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 27th day of September, 2006.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge